



SACHI A. HAMAI  
Interim Chief Executive Officer

## County of Los Angeles CHIEF EXECUTIVE OFFICE

Kenneth Hahn Hall of Administration  
500 West Temple Street, Room 713, Los Angeles, California 90012  
(213) 974-1101  
<http://ceo.lacounty.gov>

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March 31, 2015

To: Mayor Michael D. Antonovich  
Supervisor Hilda L. Solis  
Supervisor Mark Ridley-Thomas  
Supervisor Sheila Kuehl  
Supervisor Don Knabe

From: Sachi A. Hamai  
Interim Chief Executive Officer

### SACRAMENTO UPDATE

#### Executive Summary

This memorandum contains pursuits of County positions on the following measures:

- **Pursuit of County Position to Support SB 391 (Huff).** This measure would establish criminal penalties for an assault or battery committed against a transit employee engaged in the performance of his or her duties. Therefore, unless otherwise directed by the Board, consistent with existing policy to support legislation to increase the criminal penalties for assaults against rail and bus operators, **the Sacramento advocates will support SB 391.**
- **Pursuit of County Position to Support SB 621 (Hertzberg).** This measure would expand the Mentally Ill Offender Crime Reduction Program to allow funding to be used for diversion programs that provide mental health and treatment services. Therefore, unless otherwise directed by the Board, consistent with existing policy to support proposals to increase funding for prevention, diversion, housing and intervention services for mentally ill adults and delinquent and/or emotionally disturbed minors to divert them from the criminal justice system, **the Sacramento advocates will support SB 621.**

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*"To Enrich Lives Through Effective And Caring Service"*

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### **Pursuit of County Position on Legislation**

**SB 391 (Huff)**, which as introduced on February 25, 2015, would establish criminal penalties for an assault or battery committed against a transit employee engaged in the performance of his or her duties.

Under existing law, an assault or battery committed against specified individuals such as a peace officer, an emergency medical technician, a process server, an animal control officer, or a lifeguard, is punishable by imprisonment in a county jail not exceeding one year, by a fine not exceeding \$2,000, or by both. If an injury is inflicted, the battery is punishable by imprisonment in a county jail not exceeding one year, by a fine of \$2,000, by both, or by imprisonment in a county jail for 16 months, two or three years.

SB 391 would extend these provisions to an assault or battery committed against a transit employee. The Sheriff's Department and the Office of the District Attorney note they support the protection of the County's transit drivers and passengers.

This office supports SB 391. Therefore, unless otherwise directed by the Board, consistent with existing policy to support legislation to increase the criminal penalties for assaults against rail and bus operators, **the Sacramento advocates will support SB 391.**

Currently, there is no support or opposition on file for SB 391. This measure is pending hearing in the Senate Public Safety Committee.

**SB 621 (Hertzberg)**, which as introduced on February 27, 2015, would expand the Mentally Ill Offender Crime Reduction (MIOCR) Program to allow funding to be used for diversion programs that provide mental health and treatment services.

The Mentally Ill Offender Crime Reduction grants were established in SB 1485 (Chapter 501, Statutes of 1998) to provide resources to counties that developed and implemented a comprehensive, cost-effective plan to reduce the rate of crime and offenses committed by persons with serious mental illness, as well as, reduce jail overcrowding and local criminal justice costs related to mentally ill offenders.

Los Angeles County was among 26 counties throughout the State that received MIOCR funds. The County used these funds to implement two programs which were administered by the Departments of Mental Health, Probation, and the Sheriff's Department. The Community Reintegration of Mentally Ill Offenders Program provided intensive case management services for jail inmates who were at risk of homelessness

and with a co-occurring diagnosis of substance abuse. Upon community release, participants received mental health care, substance abuse treatment, housing, transportation, education, employment services, assistance in obtaining benefits, and other services. The Momentum Forward Program provided in-custody, discharge and post-release services for incarcerated mothers with co-occurring disorders.

In 2005, as required under SB 1485, the California Board of Corrections completed a statewide analysis of the MIOCR grants using data collected by counties. The analysis found that the enhanced treatment and support services offered through the MIOCR grants generally resulted in positive outcomes. Program participants were booked less often, and reconvicted less often for less serious offenses, than those receiving treatment as usual. However, the MIOCR grants were eliminated in FY 2008-09 when the State faced a \$42.0 billion budget shortfall.

The FY 2014-15 State Budget Act appropriated \$18.0 million statewide to reinstate MIOCR grants which are allocated through the State Recidivism Reduction Fund and administered by the Board of State and Community Corrections. Funding will be awarded to eligible counties on a competitive grant basis and may be used to provide community-based services that reduce recidivism for mentally ill adult and juvenile offenders. Counties receiving MIOCR grants are required to provide a match of at least 25 percent. On March 31, 2015, the Board of Supervisors authorized the District Attorney to apply for the newly reinstated MIOCR grants. If approved, the County would receive an estimated \$2.9 million in MIOCR funding for expenditure from FY 2015-16 through FY 2017-18.

The Department of Mental Health (DMH) notes that various studies have found that as many as 25 percent of inmates in large urban county jails are either mentally ill or are at risk for needing psychiatric services. According to DMH, further studies indicate that the mentally ill are more likely to be homeless, abuse substances, and be resistant to treatment. DMH reports that SB 621 would allow the County to use MIOCR funding to provide diversion services for mentally ill adult offenders.

This office and the Department of Mental Health support SB 621. Therefore, unless otherwise directed by the Board, consistent with existing policy to support proposals to increase funding for prevention, diversion, housing and intervention services for mentally ill adults and delinquents and/or emotionally disturbed minors to divert them from the criminal justice system, **the Sacramento advocates will support SB 621.**

SB 621 is scheduled for a hearing in the Senate Public Safety Committee on April 7, 2015.

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SB 621 is sponsored by the Los Angeles County District Attorney and supported by Disability Rights California. Currently, there is no registered opposition on file for this measure.

We will continue to keep you advised.

SAH:JJ:MR  
VE:PC:ma

c: All Department Heads  
Legislative Strategist  
Local 721  
Coalition of County Unions  
California Contract Cities Association  
Independent Cities Association  
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City Managers Associations  
Buddy Program Participants